

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STRIKE 3 HOLDINGS LLC,

Plaintiff,

Case No. 2:25-cv-11303

v.

Honorable Susan K. DeClercq
United States District Judge

JOHN DOE,

Defendant.

**ORDER GRANTING PLAINTIFF’S MOTION FOR LEAVE TO SERVE
THIRD-PARTY SUBPOENA (ECF No. 4)**

This matter comes before this Court on Plaintiff’s motion for leave to serve a third-party subpoena before the first Civil Rule 26(f) conference. ECF No. 4. Plaintiff, the holder of copyrights to many adult films, alleges that Defendant John Doe downloaded many of those films without permission. ECF No. 1. But thus far, Defendant has only been identified by an IP address. *Id.* So, Plaintiff seeks permission to file an early third-party subpoena directed to Defendant’s internet service provider, Comcast Cable Communications (hereinafter the “ISP”), to help identify the Doe Defendant. ECF No. 4.

This Court finds that Plaintiff has established that “good cause” exists for it to serve a third-party subpoena on the ISP. *See UMG Recording, Inc. v. Doe*, 2008

WL 4104214, *4 (N.D. Cal. 2008); and *Arista Records LLC v. Does 1-19*, 551 F. Supp. 2d 1, 6–7 (D.D.C. 2008).

Accordingly, it is **ORDERED** that Plaintiff's Motion for Leave to Serve Third-Party Subpoena, ECF No. 4, is **GRANTED**.

It is further **ORDERED** that:

1. Plaintiff may serve the ISP with a Rule 45 subpoena commanding the ISP to provide Plaintiff with the true name and address of the Defendant to whom the ISP assigned an IP address as set forth in the Complaint. Plaintiff shall attach to any such subpoena a copy of this Order.
2. Plaintiff may also serve a Rule 45 subpoena in the same manner as above on any service provider that is identified in response to a subpoena as a provider of Internet services to one of the Defendants.
3. If the ISP qualifies as a "cable operator," as defined by 47 U.S.C. § 522(5), it shall comply with 47 U.S.C. § 551(c)(2)(B), by sending a copy of this Order to the Defendant.

This is a non-final order and does not close the above-captioned case.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: May 21, 2025